

Notice of Allowability

Application No.

09/693,647

Applicant(s)

LAPSTUN ET AL.

Examiner

Namitha Pillai

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the RCE filed on 1/13/06.
2. ☒ The allowed claim(s) is/are 1-3, 7-13, 15-22, 26-31, 33 and 34.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☒ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>7</u>. 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____ |
|--|--|

RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2173

DETAILED ACTION

Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a communication with Pascale Hair on 3/2/06.

2. The application has been amended as follows:

Claim 25 is cancelled.

25. (Cancelled).

In the specification, under "Brief Description of Drawings" (pages 10 and 11 of specification), Figures 15 through 31 are renumbered to Figures 14 to 30.

Figure ~~15~~-14 is a schematic view of a program schedule class diagram;

Figure ~~16~~-15 is a schematic view of a device setup user interface flow;

Figure ~~17~~-16 is a schematic view of a setup details user interface flow;

Figure ~~18~~-17 is a schematic view of a device list user interface flow;

Figure ~~19~~-18 is a schematic view of an add device user interface flow;

Figure ~~20~~-19 is a schematic view of a record program user interface flow;

Figure ~~21~~-20 is a detailed view of a device setup main page;

Figure ~~22~~-21 is a schematic view of a device setup details;

Figure ~~23~~-22 is a schematic view of a device list;

Figure ~~24~~-23 is a schematic view of a universal remote control form;

Figure ~~25~~24 is a schematic view of a device specific TV remote control;

Figure ~~26~~25 is a schematic view of a universal remote control;

Figure ~~27~~26 is a schematic view of a select manufacturer list;

Figure ~~28~~27 is a schematic view of a select device type list;

Figure ~~29~~28 is a schematic view of a select model list;

Figure ~~30~~29 is a schematic view of a set defaults form; and

Figure ~~31~~30 is a schematic view of a program schedule.

Response to Amendment

3. This Office action is responsive to the Request for Continued Examination (RCE) filed under 37 CFR §1.53(d) on 1/13/06. Applicants have properly set forth the RCE, which has been entered into the application, and an examination on the merits follows herewith. The Examiner acknowledges Applicant's amendments to claims 1 and 20 to better specify the present invention. Based on these amendments in combination with the disclosed features, claims 1-3, 7-13, 15-22, 26-31, 33 and 34 are allowed.

Oath/Declaration

4. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

It does not identify the citizenship of each inventor. The citizenship of inventor Kia Silverbrook has not been identified.

5. Applicant is now required to submit a substitute declaration or oath to correct the deficiencies set forth above. The substitute oath or declaration must be filed within the THREE MONTH shortened statutory period set for reply in the "Notice of Allowability"

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(PTO-37). Extensions of time may NOT be obtained under the provisions of 37 CFR

1.136. Failure to timely file the substitute declaration (or oath) will result in

ABANDONMENT of the application. The transmittal letter accompanying the declaration (or oath) should indicate the date of the "Notice of Allowance" (PTOL-85) and the application number in the upper right hand corner.

Allowable Subject Matter

6. Claims 1-3, 7-13, 15-22, 26-31, 33 and 34 are allowed.

7. The following is an examiner's statement of reasons for allowance: The features taught in independent claims 1 and 20, in reference to the simultaneous printing of both invisible coded data and visible graphic data with the computer system automatically associating the data based on this simultaneous printing has not been taught in the prior art. The prior art teaches printing medium that is created to control data, with the printed medium containing visible graphic data and invisible code data. A clear relationship is established between this visible and invisible data for controlling information and for enabling user interaction. The printing of the data onto the printing medium has also been taught but the prior art does not teach the simultaneous printing of both visible and invisible data that a computer system can automatically associate further information to. The specific teachings related to printing involve two distinct steps of first printing the invisible coded data and then further additional printing of the image data at a later time. This specific teaching in the prior art does not provide for an obvious motivation for learning to simultaneously print the invisible coded data and the visible graphic data on the control interface simultaneously.

Since claims 2, 3, 7-13, 15-19, 21, 22, 26-31, 33 and 34 depend on claims 1 and 20 and include all of the limitations of these claims, claims 2, 3, 7-13, 15-19, 21, 22, 26-31, 33 and 34 are considered allowable for the reasons in which claims 1 and 20 are allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Response to Arguments

8. Applicant's arguments, filed 11/2/05, with respect to the prior art references not teaching substantially simultaneous printing of invisible coded data and visible graphic data on a control interface resulting in an automatic association between a type and spatial extent of the data provided have been fully considered and are persuasive. The rejection of claims 1-3, 7-13, 15-22, 26-31, 33 and 34 has been withdrawn. Dymetman and other prior art references disclosed teach a multiple step process where the invisible coded data is first printed then the visible graphic image data is printed at a later time.

Conclusion

9. Responses to this action should be submitted as per the options cited below: The United States Patent and Trademark Office requires most patent related correspondence to be: a) faxed to the Central Fax number (571-273-8300) b) hand carried or delivered to the Customer Service Window (located at the Randolph Building,

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401 Dulany Street, Alexandria, VA 22314), c) mailed to the mailing address set forth in 37 CFR 1.1 (e.g., P.O. Box 1450, Alexandria, VA 22313-1450), or d) transmitted to the Office using the Office's Electronic Filing System.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Namitha Pillai whose telephone number is (571) 272-4054. The examiner can normally be reached on 8:30 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571) 272-4048.

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.


Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Namitha Pillai
Assistant Examiner
Art Unit 2173
March 3, 2006



RAYMOND J. BAYERL
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